

Notice of Allowability

Application No.

10/002,999

Examiner

Tony Mahmoudi

Applicant(s)

LEUNG ET AL.

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 08-April-2005.
2. ☒ The allowed claim(s) is/are 1, 4-6, 8, 10, 12-16, 18-32 and 34-44, re-numbered as claims 1-37.
3. ☒ The drawings filed on 13 May 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Remarks

1. In response to the amendment filed on 08-April-2005, claims 2-3, 7, 9, 11, 17 and 33 are canceled and claims 1, 4-6, 8, 10, 12-14, 16, 18-21, 24-25, 29-30, 34-35 and 43-44 have been amended per applicant's request. Therefore, claims 1, 4-6, 8, 10, 12-16, 18-32 and 34-44 are pending in the application, of which, claims 1, 12, 16, 43 and 44 are presented in independent form.

Allowance

2. Claims 1, 4-6, 8, 10, 12-16, 18-32 and 34-44 are allowed over the prior art made of record.
3. The following is an examiner's statement of reasons for allowance:

The applicant's amendment, filed on 08-April-2005, overcome the cited prior art with respect to the independent claims 1, 12, 16, 43 and 44 as follows:

The prior art of record, Awada et al (U.S. Publication No. 2002/0065713 A1), Pallakoff (U.S. Patent No. 6,269,343 B1), Morrison et al (U.S. Publication No. 2002/0082946), Warner et al (U.S. Patent No. 5,404,502 A), and Deal (www.dealconsulting.com/finance/break.html), do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

determining whether to provide said seller's e-coupon to the mobile electronic device in response to the request by

determining the number of pending mobile requests during a processing cycle;

calculating an initial threshold number of requests for the processing cycle based on the seller's margin for the goods or services associated with the e-coupon, estimated rates of e-coupon redemption, and the number of additional e-coupons expected to be offered during a processing cycle by other sellers local to the location of the mobile electronic device in response to the mobile user request;

authorizing the provision of said e-coupon when the number of pending mobile requests during the processing cycle is equal or greater than the threshold number, as recited in independent claims 1, 16, 43 and 44.

determining an initial threshold number of requests for the seller based on the seller's margin for the goods or services associated with the e-coupon, estimated rates of e-coupon redemption, and the number of additional e-coupons expected to be offered during a processing cycle by other sellers local to the location of the mobile electronic device in response to the mobile user request; and

determining whether the number of pending requests during a processing cycle for said e-coupon is greater than or equal to the initial threshold, as recited in independent claim 12.

Art Unit: 2165

Claims 4-6, 8 and 10 are allowed over the prior art made of record as dependents of allowed independent claim 1.

Claims 13-15 are allowed over the prior art made of record as dependents of allowed independent claim 12.

Claims 18-32 and 34-42 are allowed over the prior art made of record as dependents of allowed independent claim 16.

Conclusion

4. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (571) 272-4078. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

tm

June 30, 2005



JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100